

# BRAUN & GRESHAM

## ATTORNEYS AT LAW

### SUCCESS STORIES

SALE OF DEVELOPMENT RIGHTS

## Conserving The Wilbarger Creek Watershed

BRAUN & GRESHAM WORKS TO GET A BILL PASSED THROUGH THE TEXAS LEGISLATURE TO CONSERVE UNIQUE TEXAS LAND.

When I watched a developer clear cutting the neighboring ranch, I finally got up the nerve to call him and ask, “Can this be stopped?” I had crossed the creek many times searching for stray cattle in that country—it was rugged and wild—and I loved it. I couldn’t stand to see it turn into a huge housing development. The developer would sell for a million dollars, but I was already deep in debt on my own ranch.

A friend told me about a grant she’d gotten from the Natural Resources Conservation Service (NRCS) that paid for a conservation easement on her ranch. I started calling everyone I knew. “You want to buy a ranch in Texas? We might be able to get this grant.” A doctor from New York was interested. The day he came down to look at the ranch, it was covered in wildflowers. The creek was up to the horses’ bellies and it felt like the Wild West—30 minutes from downtown Austin. He was sold.

Closing the deal with the developer was another story—as was finding a land trust to help us get the grant. I was

thrilled when the Hill Country Conservancy (HCC) agreed to represent both our ranches. George Cofer, the Executive Director, warned me that applying for the grant was “not for the faint of heart,” but I was determined to preserve this land, so I barreled ahead.



ANNE BROCKENBROUGH, RANCHER & WRITER

Little did I know I would spend the next year buried in the state archives. Getting my ranch designated as a State Archeological Landmark was the first step on a spreadsheet of 212 items to do. There were purchase agreements and conservation easements to negotiate; title commitments and mineral rights to review. But the biggest hurdle of all would be raising the local match for the federal dollars.

We needed help. Several people recommended Braun & Gresham who had just helped clients close a complicated deal to preserve their family ranch in Hays County. Our deal seemed simpler, but none of us knew that two years later we would have to get a bill passed in the Texas Legislature and a bond on the ballot.

## S U C C E S S S T O R I E S

“If getting things done means going to the county or the legislature, then David and Cassie know how to do it.” George Cofer told me that Cassie Gresham had worked for the Lieutenant Governor and “she knew the legislature.” David Braun had been at the forefront of Texas conservation as the State Director of The Nature Conservancy and their associate Thomas Hall had started a land trust in Colorado and was an expert in estate planning. More important, they really cared about conservation.

That passion was evident when they walked out on the ridge overlooking Wilbarger Creek and the valley where seven creeks converge. They could see why I wanted to save it. These working ranches had been settled by men who fought for the Republic of Texas, yet they were still wild. I had seen a mountain lion with my own eyes.

David, with his background in biology, saw a unique ecotone where the Upland Post Oak Savannah meets the Blackland Prairie, the most endangered ecosystem in America. The Comanches had been up on this bluff when buffalo grazed the prairie. But now development was on the horizon and we had to act fast. If we could get the grant, then we could help other neighbors who were struggling to hold on to their farms and ranches.

Braun & Gresham wasted no time. While I worked with an archeologist, Cassie and Thomas tackled our enormous to do lists and dealt with unexpected roadblocks. David worked on a fundraising plan and commissioned a study of the Wilbarger Creek Watershed to present to local companies, county commissioners, philanthropists and foundations.



THOMAS HALL, ANNE BROCKENBROUGH, DAVID BRAUN & CASSIE GRESHAM CELEBRATE A BIG WIN FOR CONSERVATION.

David has a gift for connecting people and ideas, and over the next few years he introduced me to hundreds of people who would help us. Another client of his, Jon Beall, owned a farm on Wilbarger that he'd bought with a Texas Veteran's loan after serving in Vietnam. With David's help, we created the Wilbarger Creek Conservation Alliance (WCCA)—a partnership between landowners, land trusts, and local leaders—and Braun & Gresham organized the first workshop to bring everyone together.

Braun & Gresham prodded me to call landowners, invite elected officials out to the ranch, and speak at public meetings. I was a reluctant activist, but it wasn't long before people were talking about the importance of protecting this unique area. We were ecstatic when Travis County wanted to fund the conservation easements — but unfortunately, state law would not allow it.

This news threatened to derail the deal, but the Braun team would not take no for an answer. Luckily, the legislature was in session and Senators Watson and Jackson agreed to sponsor a bill giving counties in Texas the authority to fund conservation easements. SB1044 would not only help our cause, but conservation across the entire state. After months at the Capitol, the bill passed with bipartisan support in the 11th hour on the last day of the session and was signed into law by Governor Perry.

But our work was not done. We still had to get a bond on the ballot in Travis County. David and Cassie orchestrated another campaign coordinating with local land trusts and the bond passed with overwhelming support. Meanwhile, Thomas and I negotiated the 11th and final draft of my conservation easement with HCC, ensuring that my property would remain a working ranch and a refuge—forever.

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Four years after I saw the developer's sign go up—after more twists and turns than I can recount—all expertly navigated by Braun & Gresham—the doctor's ranch was protected in perpetuity and it can never be developed. A little piece of the prairie has been restored, and now, thanks to the legislation we put in place, thousands of acres of working farms and ranches in the Wilbarger Creek Watershed will be conserved. Our work has just begun.